IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/734,671

Appellant : Foerster et al.

Filed : 12/12/2003

Group Art Unit: 3736

Examiner : Hoekstra

Docket No. : DEV-897DIV3

DOCKET NO. : DEV-09/DIV.

Customer No.: 021884

Title : METHODS AND DEVICES FOR DEFINING AND MARKING

TISSUE

TRANSMITTAL LETTER

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sirs:

Applicant has previously paid for an Appeal Brief on June 16, 2008 at the cost of \$510.00 In accordance with 37 C.F.R. 41.31 and 37 C.F.R. 41.20, the fee can be applied to the new appeal. As such, no fee is due.

Respectfully submitted,

Howard N. Flaxman Registration No. 34,595

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